

**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

In the Matter of Enforcement Action
Against:

Michael Donow,

Respondent.

PDC CASE NO. 07-012
PDC CASE NO. 07-015

STIPULATION AS TO FACTS,
VIOLATIONS AND PENALTY

The parties hereto, the Public Disclosure Commission Staff, through its Executive Director, VICKI RIPPIE, and the Respondent, MICHAEL DONOW, submit this Stipulation as to Facts, Violations and Penalty. The parties agree that pursuant to RCW 42.17.360 and WAC 390-37-090, the Commission has the authority to accept, reject, or to suggest modifications to this Stipulation.

I. JURISDICTION

The Public Disclosure Commission has jurisdiction over this proceeding pursuant to Chapter 42.17 RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC.

II. FACTS

A. The 2001 Monroe City Council Election

1. Michael Donow was elected to the Monroe City Council in 1993 and served in that position from 1994 through 1997.

2. Ken Berger is a current member of the Monroe City Council. He was initially

1 elected in 1989 and, with the exception of one term, has continued to serve on the Council
2 since that time.

3 3. Bob Holman was serving on the Monroe City Council in 1996 when he was
4 appointed to the position of Mayor. He was elected Mayor in 1997 and served from 1997
5 through 2001.

6 4. In 2001, rather than seeking re-election as Mayor, Holman ran unsuccessfully
7 for City Council against incumbent Jim Hunnicut.

8 5. On October 20, 2001, 17 days before the general election, Berger wrote a
9 personal check to Donow in the amount of \$1,500, which Donow understood that he (Donow)
10 would contribute to Holman's campaign, and with the understanding that Holman would name
11 Donow as the source of the contribution.

12 6. On October 21, 2001, Donow deposited Berger's check in his personal checking
13 account.

14 7. On October 21, 2001, Donow wrote a check in the amount of \$1,500 to
15 Holman's campaign and gave it to Holman.

16 8. On October 26, 2001, Holman reported Donow's \$1,500 contribution on his
17 campaign disclosure forms submitted to the Commission. Holman did not report Berger as a
18 contributor to his campaign on his financial filings with the Commission.

19 **B. The 2003 Monroe City Council Election**

20 9. Chad Minnick and Tom Layson were candidates for positions on the Monroe
21 City Council during the 2003 election.

22 10. In late August 2003, Donow attended a candidate "meet-and-greet" event at
23 Holman's home. During this event, Berger handed Donow an undetermined amount of cash
24 with the understanding that Donow would contribute the money to Minnick's and Layson's
25 campaigns and that the campaigns would name Donow as the source of the contribution.

26 11. During candidate event, Donow handed the cash to Chad Minnick.

12. Minnick's campaign disclosure reports to the Commission indicate that his campaign received a \$150 contribution from Donow on August 27, 2003. They do not identify Berger as a contributor.

13. Layson's campaign disclosure reports to the Commission indicate that his campaign received a \$150 contribution from Donow on August 25, 2003. They do not identify Berger as a contributor.

III. VIOLATIONS

Based on the facts stipulated to above, the Respondent committed two violations of RCW 42.17.120.

IV. PENALTY

Based upon the stipulated facts and the agreement regarding violations set forth above, the Respondent agrees to pay the following penalties and costs of investigation:

2001 violation	\$2,500
2003 violation	\$2,500
TOTAL	\$5,000

Of the total penalty amount, \$3,200 will be suspended on the condition that the Respondent commits no further violations of RCW 42.17 for four years from the date of the entry of the Commission's Final Order in this matter. Payment of the non-suspended portion of the penalty (\$1,800) is due ¹⁸⁰90 days from the date of entry of the Commission's Final Order in this matter.

V. RESERVATION OF RIGHTS


Respondent and Staff agree this Stipulation fully and finally resolves only the conduct described above. The Staff's investigation into possible violations of Chapter 42.17 RCW and Title 390 WAC in the 2003 Monroe City Council elections is on-going. The parties agree that this Stipulation shall in no way be construed as a waiver of the Commission's

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1 power or authority to pursue additional enforcement actions against the Respondent should
2 the Staff's investigation reveal additional possible violations.

3 Stipulated to and dated this 25th day of October 2006.

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5 VICKI RIPPIE, Executive Director
6 Public Disclosure Commission

10/25/06
Date Signed

7 
8 MIKE DONOW, Respondent

10-25-06
Date Signed